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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
 Phillips et al.)
 Serial No. 09/735,363)
 Filed: December 12, 2000)
 For: THERAPEUTICALLY USEFUL)
 SYNTHETIC OLIGONUCLEOTIDES)

) Art Unit: 1635
) Examiner: Jane Zara

AMENDMENT AND RESPONSE TO NON-FINAL OFFICE ACTION

Commissioner for Patents
 Mailstop Petition
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

In response to the non-final Office Action mailed December 18, 2003, applicants respectfully request amendment of the application as follows and reconsideration of the rejected claims based upon the following amendments and remarks.

The above-referenced patent application went abandoned unavoidably for failure to timely file a Response to December 18, 2003 Non-Final Office Action, a six-month period of reply to which expired June 18, 2004, because the Office Action was not received by the applicants' representative.

I hereby certify that this correspondence is being sent via facsimile transmission to 703-872-9306 attention Office of Petitions at the United States Patent and Trademark Office Petition on September 20, 2004.

Elena S. Polovnikova
 Elena S. Polovnikova, Ph.D. - Reg. No. 52,130

ATL11B02 167838.1

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*Applicant: Phillips et al.
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The present Amendment and Response to Non-Final Office Action is filed concurrently with a Petition under 37 C.F.R. §1.137(a) for Revival of an Application Unavoidably Abandoned and the authorization to charge the petition fee as set forth in 37 C.F.R. 1.17(l) to Deposit Account Number 11-0855.

ATL11B02.167838.1

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